

Applicants : David J. Pinsky  
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Cont
45. (New) The method of claim 39, wherein the CD39 polypeptide is administered in a dosage of 1-20 mg/kg of the subject's body weight.
46. (New) The method of claim 39, wherein the CD39 polypeptide is administered in a dosage of 4-8 mg/kg of the subject's body weight.

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REMARKS

Claims 1, 2, 7, 9-13, 17-19, 22-24 and 27, 34-38 are currently pending in the above-identified application. Claims 1, 2, 17, and 27 have been amended to more particularly point out and distinctly claim the subject matter which the applicants regard as the invention. Support for the amendment to claim 1 can be found in the specification at page 6, lines 2-8. Support for the amendment to claim 2 can be found in the specification at page 6, lines 10-12. Support for the amendment to claim 17 can be found in the specification at page 14, lines 19-33. Support for the amendment to claim 27 can be found in the specification at page 6, lines 2-8 and page 10, lines 12-17. Support for the new claim 39 can be found in the specification at page 6, lines 2-8 and page 10, lines 12-17. Support for new claim 40 can be found in the specification at page 6, lines 21 and 22. Support for new claim 41 can be found in the specification at page 6, lines 24-26. Support for new claim 42 can be found in the specification at page 13, lines 27-29. Support for new claim 43 can be found in the specification at page 13, lines 31-33. Support for new claim 44 can be found in the specification at page 13, line 35 and page 14, lines 1 and 2. Support for new claim 45 can be found in the specification at page 14, lines 4-6. Support

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for new claim 46 can be found in the specification at page 14, lines 8-10. Applicant maintains that this Amendment raises no issue of new matter.

A copy of the marked-up version of the amended claim is attached hereto as **Exhibit A** pursuant to the requirements of 37 C.F.R. §1.121.

Applicant identified certain unintentional formatting errors in the May 7, 2003 Amendment and subsequently contacted the Examiner Chen to determine how to correct these errors. In the May 12, 2003 telephone conference between Examiner Chen and Dr. Marinovic, it was discussed that although on page 5 of the May 7, 2003 Amendment it states "please add new claims 28-38", only new claims 34-38 can be found in the text which follows. The Examiner indicated that the applicant could cancel the new claims which were added in the May 7, 2003 Amendment and resubmit new claims directed to the preferred subject matter.

Consequently, applicant respectfully requests that claims 34-38 of the May 7, 2003 Amendment be cancelled and that new claims 39-46, listed above, be added. Applicant notes that during the May 12, 2003 telephone conference between Examiner Chen and Dr. Marinovic, the Examiner requested that a clean copy of pending claims be submitted. Applicant attaches hereto as **Exhibit B** a clean copy of the pending claims.

Accordingly, applicant respectfully requests that this Amendment be entered. After entry of this Amendment claims 1, 2, 7, 9-13, 17-19, 22-24, 27, and 39-46 will be pending and under examination upon entry of this Amendment.

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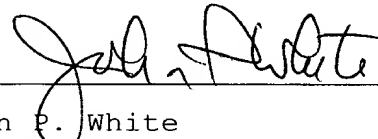
**Conclusion**

Applicant maintains that pending claims 1, 2, 7, 9-13, 17-19, 22-24, 27, and 39-46 are in condition for allowance, and respectfully request allowance of these claims.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invite the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. If any such fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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